

Message Text

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ACTION DLOS-05

INFO OCT-01 EUR-08 ISO-00 AF-04 ARA-06 EA-06 NEA-06 RSC-01

CG-00 CIAE-00 DODE-00 PM-03 H-01 INR-05 L-01 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 OIC-02 AID-05

CEQ-01 COA-01 COME-00 EB-04 EPA-01 IO-04 NSF-01

OES-02 FEA-01 ACDA-05 CEA-01 AEC-05 AGR-05 DOTE-00

FMC-01 INT-05 CIEP-01 JUSE-00 OMB-01 /123 W

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R 251042Z OCT 74

FM AMEMBASSY PARIS

TO SECSTATE WASHDC 3555

USMISSION USUN

INFO USMISSION EC BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 25251

E.O. 11652: NA

TAGS: PLOS EFIS US FR

SUBJ: LOS: FRENCH VIEWS ON LOS NEGOTIATIONS

REFS: (A) STATE 226040 (B) STATE 232115

1. WE DISCUSSED NEED FOR FORWARD MOTION IN GENEVA LOS NEGOTIATIONS PER REFTELS WITH MINISTRY OF FOREIGN AFFAIRS OFFICIALS GIRARD (FISHERIES QUESTIONS) OCT. 15 AND ROUX (LOS LEGAL DIVISION) OCT. 23 AND 24, STRESSING USG SENSE OF URGENCY, AND REAL NATURE OF PRESSURES FOR U.S. TO TAKE UNILATERAL ACTIONS IF SATISFACTORY LOS TREATY NOT REACHED IN 1975.

2. ROUX SAID GOF SHARES USG INTEREST IN SEEING MEANINGFUL NEGOTIATIONS ACCOMPLISHED IN GENEVA. GOF IS CONCERNED HOWEVER THAT GROUP OF 77 MEMBERS ARE NOT INTERESTED IN SEEKING SOLUTIONS, AND THAT AGREEMENT NOW
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TO SECOND 1975 SESSION WILL SIMPLY UNDERCUT WHAT CHANCE

MAY EXIST OF SUBSTANTIVE PROGRESS IN GENEVA. GOF, ACCORDING TO ROUX, IS NOT OPPOSED TO SECOND SESSION IF IT LIMITED TO SHORT, TECHNICAL MEETING DESIGNED TO DRAFT LANGUAGE FLESHING OUT AGREEMENTS PREVIOUSLY REACHED. IN FACT, GOF BELIEVES TREATY UNLIKELY TO TAKE FINAL SHAPE MUCH BEFORE 1976. HE PROMISED TO RELAY OUR ARGUMENTS TO POLICY LEVEL OF GOF BUT INDICATED THAT GOF UNLIKELY TO DROP ITS PRESENT RELUCTANCE TO PRE-ENDORSE SECOND SESSION WHICH IT FEARS WOULD ONLY BE REPLAY OF GENEVA SESSION. ACTION REQUESTED: AS ROUX'S DIRECTOR AND CHIEF FRENCH LOS NEGOTIATOR JEANNEL IS CURRENTLY AT UNGA, SUGGEST USUN CONTACT HIM TO ATTEMPT INFLUENCE GOF DECISION.

3. BOTH ROUX AND GIRARD IMPLIED THAT BASIC CAUSE OF

GOF RELUCTANCE IN PUSHING PACE OF LOS NEGOTIATIONS IS FEAR THAT PRESENT TREND IS UNFAVORABLE TO FRENCH INTERESTS. THEY INDICATED THAT GOF IS CONCERNED THAT EVENTUAL TREATY WILL SEVERELY LIMIT FRENCH MARITIME RIGHTS AND FISHERIES ACCESS, AS WELL AS COMPROMISE GOF PRINCIPLES IN INTERNATIONAL ORGANIZATION; ROUX ALSO INDICATED GOF FEAR THAT USG MAY BE INCLINED TO REACH FOR TREATY AT ALMOST ANY PRICE. WHEN WE POINTED OUT THAT FAILURE TO REACH TREATY WOULD PROBABLY RESULT IN IMPOSITION OF STILL MORE LIMITING AND DANGEROUS UNILATERALISM, BOTH ROUX AND GIRARD AGREED BUT INDICATED THAT GOF DILEMMA WAS TO CHOOSE LESSER OF TWO EVILS. THEY EMPHASIZED THAT GOF WANTS LOS TREATY, BUT NOT ONE WHICH IS UNSATISFACTORY TO BEGIN, AND IN DANGER OF BEING ERODED YET FURTHER BY TIME: BOTH VOICED GOF CONCERN THAT RECENT USG DECISION TO BOARD AND INSPECT BOTTOM-FISHING VESSELS IS EXAMPLE OF "CREEPING JURISDICTION" WHICH GOF FEARS WILL ERODE TREATY PROVISIONS. (OUR CITATION OF POINTS IN PARA 2 OF STATE 202113 APPARENTLY DID NOT REDUCE THEIR CONCERN

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C O N F I D E N T I A L SECTION 02 OF 02 PARIS 25251

IN THIS RESPECT).

4. ON QUESTION OF PROCEDURE RAISED STATE 230297 ROUX SAID THAT FRANCE AND ITS EC PARTNERS WILL BE HOLDING SERIES OF CONSULTATIONS ON LOS MATTERS DURING NOVEMBER IN BRUSSELS. OBJECT WILL BE TO TAKE STOCK OF CARACAS AND OTHER REACTIONS TO EC PAPERS ON FISHERIES (WHICH WILL PROBABLY BE LIBERALIZED) AND SEABED AUTHORITY, AND PERHAPS TO SEEK DEVELOP COMMON EC POSITION ON POLLUTION.

5. COMMENT: WE BELIEVE THAT FRENCH ARE UNLIKELY TO DROP THEIR RELUCTANCE TO DEVELOP RAPID PROGRAM FOR LOS NEGOTIATIONS UNLESS THEY CAN SEE, BETTER THAN THEY DO NOW, THAT THERE IS LIGHT AT THE END OF THE TUNNEL.
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UNTIL THEN, THEY WILL PROBABLY CONTINUE TO NEGOTIATE SERIOUSLY BUT UNENTHUSIASTICALLY, SEEKING TO LIMIT LOSSES AND APPARENTLY PLAYING TO SOME DEGREE FOR TIME. THEY APPEAR TO RECOGNIZE DANGERS OF UNILATERALISM, AND

PRESSURES ON USG, BUT SEEM UNSURE WHETHER THE ALTERNATIVE IS NOT TO NEGOTIATE AN AGREEMENT AT TOO HIGH A PRICE. WHILE WE HAVE EMPHASIZED USG COMMITMENT TO UNIMPEDED PASSAGE AND OTHER MARITIME RIGHT AS ESSENTIAL ELEMENTS OF OUR ACCEPTANCE WHOLE LOS PACKAGE, GOF OFFICIALS SEEM CONCERNED THAT WE WILL NOT HAVE THE VOTES WHEN IT

COUNTS. IF THIS PESSIMISTIC OUTLOOK IS TO BE OVERCOME,
WE BELIEVE THAT HIGHER LEVEL USG-GOF CONSULTATIONS IN
NEW YORK OR PARIS WILL BE NECESSARY IN NEAR FUTURE.
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